

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of DEBINSKI, ET AL.

Application No.: 10/075,823

Examiner: Phuong Huynh

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Date Filed: February 12, 2002

Group: 1644

SEP 16 2004

For: VEGF-D EXPRESSION IN BRAIN CANCER

## CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the U.S.  
Postal Service as First Class mail in an envelope addressed to the  
Commissioner for Patents, Washington, D.C. 20231, on

March 15, 2004

Reg. No. 42,730

Stanley A. Kim, Esq.

RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This response is in reply to the office action dated January 12, 2004 (the "Office  
Action").

REMARKSElection/Restriction

In the above-identified Office Action, the Examiner issued a restriction requirement and  
required election of one of the following groups under 35 U.S.C. § 121:

1. Claims 2-8 drawn to a method for detecting a cancer in a brain tissue by analyzing  
the brain tissue sample for a VEGF-D nucleic acid marker using VEGF-D nucleic  
acid, or RNA, classified in Class 435, subclass 6.
2. Claims 9-18, drawn to a method for detecting a cancer in a brain tissue by  
analyzing the brain tissue sample for a VEGF-D protein marker using a probe that

{WP172338;1}